IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

TUESDAY, THE 2ND JANUARY 2007 / 12TH PAUSHA 1928

Crl.Rev.Pet.No. 3864 of 2006(C)

CRA.593/2005 of ADDL.SESSIONS COURT (ADHOC), ALAPPUZHA
CC.441/2003 of JUDL.MAGISTRATE
OF FIRST CLASS-II(MOBILE),ALAPPUZHA

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REVN. PETITIONER: PETITIONER

E.SHAHUL HAMEED, S/O. EBRAHIM,
PUTHUPARAMBU, KARUKAYIL WARD, ALAPPUZHA.

BY ADV. SRI.VIKANTH K.PUTHUMANA

RESPONDENTS: RESPONDENTS

1. K.S.KRISHNANKUTTY, S/O. SEKHARAN,
KEDAYOKAL HOUSE, ASRAMAM WARD, ALAPPUZHA.

2. STATE OF KERALA, REP. BY
PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI MOHAMED PUZHAKKARA
SRI.C.UNNIKRISHNAN (KOLLAM)

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 02/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K. PADMANABHAN NAIR, J.

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CRL. R.P. NO. 3864 OF 2006

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Dated this the 2nd day of January, 2007

O R D E R

Revision Petitioner is the accused in C.C. No.441 of 2003 on the file of the Judicial First Class Magistrate, No.II, Alappuzha. He was found guilty of an offence punishable under Section 138 of the Negotiable Instruments Act. Conviction and sentence were confirmed in appeal by Sessions Court, Alappuzha. Challenging those concurrent findings, this Criminal Revision Petition is filed.

2. Parties have settled the matter and filed Crl.M.A. No.13347 of 2006 for compounding the offence. Today I have allowed that application. Hence this Criminal Revision Petition is only to be allowed.

In the result, Criminal Revision Petition is allowed. Conviction and sentence imposed on the Revision Petitioner are

set aside. Revision Petitioner is acquitted under Section 320(8) of the Criminal Procedure Code.

K. PADMANABHAN NAIR, JUDGE.

vsv

K. PADMANABHAN NAIR, J.

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CRL. R.P. NO.

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O R D E R

JANUARY, 2007